

Application Serial No.: 10/801,765
Amendment and Response to November 30, 2005 Non-Final Office Action

REMARKS

Claims 1 through 15 are in the application. Claims 1, 2, 4 and 9 are hereby amended. No new matter has been added. Reconsideration and further examination are respectfully requested.

As an initial matter, the undersigned thanks the Examiner for the courtesy of the telephone interview on November 21, 2006. The participants were the undersigned and Examiner Nguyen. Independent claim 1 was generally discussed in view of the Warmack reference. No agreement was reached, however the Examiner indicated that claim 1 as presented could be made more readable to help her understand features of the invention. As a courtesy to the Examiner, Applicant has amended claims 1, 2, 4 and 9 in an attempt to address the Examiner's concern. No narrowing is intended by this amendment.

From the interview, it became apparent that a brief review of features of some embodiments of the present invention might help the Examiner appreciate differences between the claimed subject matter and the cited reference. Accordingly, prior to a discussion of the rejections, a brief review will be provided.

To aid in the understanding of some embodiments, consider the following example: An employee of a company is issued a purchasing credit card that allows her to make certain types of purchases. All of the purchases are charged to the company account, and the company has set up some limitations on how each purchasing card can be used (these limitations are enforced by the authorization system). The employee in this example has a card that can only be used for Travel and Entertainment purchases (e.g., she can buy airline tickets or the like). While on a business trip, the employee has an emergency – she needs to rent a laptop to give a sales presentation to an important client. When she tries to use her purchasing credit card at a computer rental store, the authorization restrictions on the card cause the rental transaction to be denied. Prior to the present invention, the employee would have to use her own credit card and seek reimbursement later. Embodiments of the present invention allow the employee to rent the computer even though it is outside the authorization rules for her card. Embodiments do this by allowing a manual authorization record to be set up based on information from the first declined transaction.

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Once the record is set up, the employee can attempt the transaction a second time – this time it will be authorized. So, put simply, in some embodiments, a transaction goes like this:

- a cardholder uses her card to try to make a purchase;
- the purchase transaction is declined by the credit card system;
- an entity uses information from the purchase transaction to set up a manual authorization record; and
- the cardholder again uses her card to make the same purchase – this time the purchase is successful because the manual authorization overrides the normal card controls.

Further details, examples, and embodiments are described in the application as filed.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Warmack (U.S. Publication No. 2002/0161701 A1).

The Warmack reference generally describes a debit or credit card transaction clearinghouse system in which the cardholder is notified of every transaction and is able to accept, deny or flag each transaction.

The Warmack reference fails to teach or suggest features of the present invention as claimed in claims 1-15. For example, the Warmack reference fails to teach or suggest a system or method having a first authorization request that involved a payment account, where the first authorization request was declined for a previous purchase transaction and creating a manual authorization record associated with the payment account the manual authorization record allowing approval of a second authorization request involving the payment account and the purchase transaction. Further, there is no teaching or suggestion in the Warmack reference where the manual authorization record is created using information from said first authorization request.

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As discussed above, in some embodiments, the present invention allows a cardholder to have a first purchase declined and then later go back and have the same purchase approved. There is simply no teaching or suggestion in Warmack to provide such a capability. The Examiner points to several sections in Warmack that use the term "decline" and "approve" (such as paragraph [0012]). However, Applicant's reading of these sections shows absolutely no suggestion of a system that allows a first transaction to be declined and a second transaction (involving the same card and the same purchase) to be approved. Instead, Warmack's entire focus is on allowing a cardholder to be notified in real-time of the occurrence of a transaction. The cardholder can then approve or decline the transaction as it is happening. Thus, there would never be a first denial and a subsequent authorization in the Warmack system, and there would not be any motivation to modify Warmack to provide such a feature. Each of the claims generally recites this feature. As a result, each of the claims is believed patentable over the cited reference.


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CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-0081.

Respectfully submitted,

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Date



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